Remarks

Reconsideration of the above-captioned application is respectfully requested. The indicated allowability of Claims 7, 8, and 20 is gratefully acknowledged. Claims 1-6 and 9-19 (of which Claims 1, 9, 10, 14, and 15 are independent) have been rejected under 35 U.S.C. §103 as being unpatentable over Voegeli et al., USPN 6,651,178 in view of alleged admissions of prior art (AAPA) and in view of various allegations of inherency.

The fact that Applicant has focussed its comments distinguishing the present claims from the applied references and countering certain rejections must not be construed as acquiescence in other portions of rejections not specifically addressed.

To overcome the rejections, independent Claim 1 now recites subject matter held to be allowable in the case of allowable Claim 8, and independent Claim 15 now incorporates the subject matter of allowable Claim 20, which has been canceled along with Claims 4 and 8. These claims will not be further discussed. This leaves independent Claims 9, 10, and 14 at issue.

Voegeli et al., col. 6, lines 57-67 has been used as the claimed "state value setting combination circuit which generates a change instruction to change the combination of voltages supplied by the power supply unit", while paragraph 5 of the present specification, which has been alleged to be AAPA, has been used as the claimed "state value changing combination circuit which changes the state values one by one in a predetermined order corresponding to a target combination of voltages when the change instruction is received to change the combination of voltages supplied by the power supply unit." The claimed "state register circuit to store state values corresponding to a combination of voltages" has been found to be an inherent way to

store the VID codes discussed on columns 5 and 6 of Voegeli et al. and relied on as the claimed "combination of voltages".

Voegeli et al., col. 6, lines 57-67 teach that a power control bus provides the voltage level for each power supply, along with the turn-on sequence of the power supplies. Evidently from the rejection, this information from Voegeli et al.'s bus is considered to be the claimed "change instruction". This is important, because the relied-upon AAPA does not then teach the succeeding claim element (for which it has been used). More specifically, paragraph 5 of the present specification states only that a ***sequence*** in which power supplies are turned on is specified by ***a standard***. In marked contrast, Claim 9 requires changing not just the sequence but also the state ***values*** one by one, and to do it not in accordance with a standard but rather when the change instruction is received. Accordingly, it appears that the rejection has two defects, namely, that combining the alleged AAPA with Voegeli et al. as proposed would not arrive at Claim 9, and further that since the relied-upon portion of Voegeli et al. actually undertakes the sequencing and voltage level adjustments of the power supplies, then tossing in the AAPA, in which a standard is used to specify a sequence, would be superfluous and hence not properly suggested. For this reason, Applicant respectfully asserts that the claims are patentable.

In addition, Applicant cannot acquiesce that the state register, admittedly missing as an explicit teaching of Voegeli et al., is nonetheless inherently present to hold the VIDs. To be inherent, a missing element must "necessarily" be in a reference, MPEP §2112, and as clearly taught by Voegeli et al. in column 5 the five-bit VIDs come from an Intel processor and hence appear to be generated by the processor in accordance with an algorithm, as opposed to being retrieved from a state register. In any case, the relied-upon VIDs, which are used to drive the DAC, are part of the Intel processor, not the power supply

controller. Table 1 of Voegeli et al., showing the correspondence between VIDs and DAC output, is used to illustrate the programming of the DAC, col. 5, lines 46 and 47, and is not asserted by Voegeli et al. to represent a data structure. Accordingly, for this additional reason Applicant respectfully asserts that the claims are patentable.

The Examiner is cordially invited to telephone the undersigned at (619) 338-8075 for any reason which would advance the instant application to allowance.

Respectfully submitted,

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